

Tamara L. Giwa
*Executive Director and
Attorney-in-Chief*

Michelle A. Gelernt
Attorney-in-Charge

May 17, 2024

Via ECF and Email

The Honorable Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Dwayne Patterson, 21-CR-524 (PKC)

Your Honor:

I write to briefly update the Court in advance of sentencing, scheduled for Monday, May 20, 2024. When we last appeared on November 20, 2024, this Court indicated that Your Honor is seriously considering a probation sentence, given Mr. Patterson's progress at stabilizing his life since his arrest. Given that progress, the Court stated, reincarceration would do more harm than good. The Court then adjourned sentencing for six months to continue to monitor Mr. Patterson, stating that continued compliance with Pretrial supervision, mental health treatment, and employment would give the Court greater confidence in a non-incarceratory sentence.

I write to advise that the ensuing six months have been entirely uneventful, in the best way. Mr. Patterson has fully complied with his Pretrial obligations. Officer Atkinson's only report to the Court for these six months has been that Mr. Patterson tested positive for marijuana, as expected; his medical marijuana card remains active. He has fully complied with all obligations and modifications of his bond. He resides with his sister, where he is welcome to remain. He continues to be engaged in mental health treatment, meeting monthly with his psychologist, as needed with his therapist, and takes his prescription medication for depression and anxiety as directed. And he's worked an additional six months in the same position at the museum, recently earning a raise. He is very proud to have held this job successfully for fourteen months, and looks forward to additional opportunities there.

In sum, for all of the reasons in our November 13, 2024 letter, we urge the Court to impose a non-incarceratory sentence that continues intensive supervision. Mr. Patterson's most recent six months only underscore the progress he has made. Justice does not require any additional period of incarceration beyond what he has already served.

Thank you for your consideration.

Respectfully submitted,

/s/

Mia Eisner-Grynberg, Esq.
Assistant Federal Defender
Eastern District of New York
(718) 330-1257

cc: AUSA Benjamin Weintraub (by email and ECF)
United States Probation Officer Erica Vest (by email)